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**Before the Utah Division of Oil, Gas and Mining
Department of Natural Resources
State of Utah**

In the Matter of: Protest of the tentative decision to approve the Revised Notice of Intention to Commence Large Mining Operations, PR Spring Mine, Uintah and Grand Counties, Utah.

**Final Decision Approving
Revised NOI**

M/047/0090

The Division of Oil, Gas and Mining (“Division”) held an informal conference to review its tentative decision to approve a revision to a mining permit. The mine operator, U.S. Oil Sands, Inc., (“Operator”) had filed a Revised Notice of Intention to Commence Large Mining Operations (“Revision”) with the Division last year. After multiple requests to amend and responsive amendments, the Division issued a tentative approval of the Revision to which it received written objections, which resulted in the informal conference.

The conference was held at 9:00 AM on June 30, 2015 in the auditorium at the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. John R. Baza, Director of Oil, Gas and Mining presided over the informal conference with the assistance of Douglas J. Crapo, Assistant Attorney General. The Division presented Paul Baker, Minerals Program Manager, and April Abate, Environmental Scientist III, and was represented by Steven F. Alder, Assistant Attorney General. Protestant Living Rivers, represented by Rob Dubuc, Western Resource Advocates, presented Dr. William Johnson and his work to the Presiding Officer. The Operator U.S. Oil Sands, Inc., represented by A. John Davis, III and M. Benjamin Machlis, Holland & Hart, presented Barclay Cuthbert, Vice President of Operations.

In addition to these parties, the Presiding Officer heard from Vaughn Lovejoy, Tim Wagner, Tory Hill, Kathryn Albury, Jill Merritt, Suzanne Stensaas, Tanja London, Hans Ehrbar, Kaitlin Butler, Tina Smith, Bob Brister, Sara Caldwell, Sarah Stock, Miranda Pratt, Allison Jones, Tom Faddies, Sean Porter, and Nancy Evenson.

The Operator had previously obtained a mining permit in 2009. The Board upheld the Division’s approval in late 2012 and issued its Memorandum Decision in early 2013. Last year, the Operator submitted a revision to the existing mining plan, which expanded the disturbed area. On April 7, 2015 the Division issued a tentative approval to the Revision and published its decision on June 14, 2015 in the Salt Lake Tribune and Deseret Morning News; June 16, 2015 in the Uintah Basin Standard and Vernal Express; and June 18, 2015 in the Moab Times-Independent (Emery and Grand Counties). Because the Division received timely written objections of substance, the Division held this informal conference under the Utah Mined Land Reclamation Act, Utah Code Ann. § 40-8-13(d)(3) (West 2014), the Utah Administrative

Procedures Act, § 63G-4-203, and the Division's Administrative Procedures Rule, Utah Admin. Code Rule R647-5 (2015), <http://www.rules.utah.gov/publicat/code.htm>. In addition to the submitted objections, the Division received comments supporting the approval of the Revision.

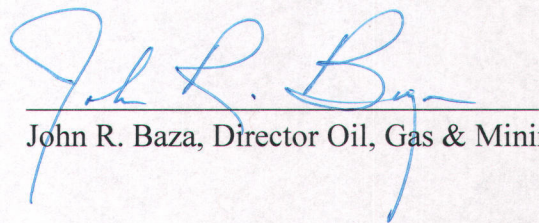
When submitting an NOI, operators must describe potential surface and/or subsurface impacts. R647-4-109. The description must include projected effects on surface and groundwater systems, R647-4-106(8), and -109(1); identify any deleterious material that will be left on the mine site, R647-4-106(2); and projected effects on air quality, R647-4-109(4).

After careful review and consideration of the comments and objections presented before and at the conference, the Division gives its final approval of the Revised NOI conditioned on the Operator amending the NOI to (1) establish a monitoring program for potential effects to the possible subsurface water system, and (2) include further evidence of the Operator's compliance with the appropriate air quality regulatory authority or authorities. Those amendments must be submitted to the Division by November 1, 2015, and the Operator must not process ore until the Division approves the amendments.

An aggrieved party that participated in the conference or an applicant that is aggrieved by a conditioned approval may appeal this decision to the Board of Oil, Gas and Mining as a formal adjudicative proceeding under Rule 647-5-106(17) and Rule R641 by filing an appeal with the Board Secretary, Ms. Julie Ann Carter within ten (10) days of receipt of this decision. Ms. Carter's address is Board of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah, 84116 and her phone number is (801) 538-5277.

DATED this 17th day of July, 2015.

DIVISION OF OIL, GAS AND MINING


John R. Baza, Director Oil, Gas & Mining

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2015, I caused a true and correct copy of the foregoing **Final Decision Approving Revised NOI** for Mine No. M/047/0090, to be mailed by email or first-class mail with postage prepaid, to the following:

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